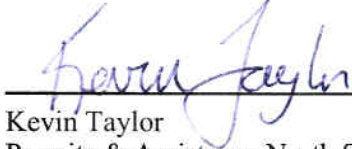


M E M O R A N D U M

To: Mark de Bie, Chief
Permitting & Assistance Branch
DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

Date: April 15, 2011

From: 
Kevin Taylor
Permits & Assistance North Section
Permits and Assistance Branch

Subject: **EMERGENCY WAIVER DOCUMENTS FOR INDEPENDENCE LANDFILL (SWIS NO. 14-AA-0004), BISHOP-SUNLAND (SWIS NO. 14-AA-0005) AND LONE PINE LANDFILL (SWIS NO. 14-AA-0003)**

Pursuant to Title 14, California Code of Regulations (14 CCR), Section 17210.9, the attached waiver documents are hereby transmitted for your review.

The Branch Chief's powers and duties relative to the emergency waivers via the November 1, 2010 Delegation of Authority are as follows:

- Once the waiver is issued, the Branch Chief may condition, limit, suspend, or terminate an operator's use of a waiver, if it is determined that the use of the waiver would cause harm to public health and safety, or the environment.
- The Branch Chief may condition, limit, suspend, or terminate an operator's use of a waiver if it is found that the operator has not utilized reasonably available diversion programs as identified in its waiver documentation.
- The Branch Chief shall report at a regularly scheduled meeting any granting of a waiver and all determinations made concerning the waiver.

Background: On July 13, 2008, Inyo County Sheriff Bill Lutze declared a state of local emergency resulting from the Oak Creek flood event near Independence, CA. The Inyo County Board of Supervisors has continued to re-authorize this state of emergency, most recently on March 15, 2011. On March 22, 2011, the Inyo County Board of Supervisors declared a state of local emergency resulting from the Big Pine Center Fire, which occurred on March 18, 2011. The Independence Landfill, Bishop-Sunland Landfill and Lone Pine Landfill will be directly impacted by clean-up and demolition debris generated by the Oak Creek flood and the Big Pine Center Fire. The request was made in order that all three landfills could accept demolition debris received as a result of the Oak Creek flood and the Big Pine Center Fire. A waiver of the permitted daily tonnages for the three landfills is requested in order to accept the addition demolition debris. On March 30, 2011, the LEA granted written approval of the emergency waiver, to be effective on April 11, 2011. Pursuant to 14 CCR Section 17210.8, the LEA for Inyo County has granted an emergency waiver as follows:

- The request was made in order that all three landfills could accept demolition debris generated by the flood and fire. A waiver of the permitted daily tonnage limit will not pose a threat to public health and safety or the environment.

- Inyo County Environmental Health Services shall comply with the reporting requirements contained in 14 CCR Section 17210.5. The reports shall include emergency related daily tonnage that is placed in the landfills, identification of all facilities involved in the process and diversion of clean-up and demolition debris.
- The granting of the emergency waiver is for 90 days from April 11, 2011.

Staff reviewed the emergency waiver and no issues were identified.

Staff, therefore, recommends that you include the following in your April and/or May Public Meeting Report:

- Pursuant to 14 CCR Section 17210.9, the Executive Director, shall review all Enforcement Agency waiver approvals and shall report at a regularly scheduled meeting any granting of a waiver and all determinations made concerning the waiver. (On 11-1-10 this responsibility was delegated to the Chief of the Permitting & Assistance Branch.)
- On July 13, 2008, Inyo County Sherriff Bill Lutze declared a state of local emergency resulting from the Oak Creek flood event near Independence, CA. The Inyo County Board of Supervisors has continued to re-authorize this state of emergency, most recently on March 15, 2011.
- On March 22, 2011, the Inyo County Board of Supervisors declared a state of local emergency resulting from the Big Pine Center Fire of March 18, 2011.
- On March 30, 2011, pursuant to 14 CCR 17210.4, the LEA for the County of Inyo granted the emergency waiver as follows:
 - The emergency waiver is for Independence, Bishop-Sunland and Lone Pine Landfills;
 - The emergency waiver is effective April 11, 2011;
 - The granting of the emergency waiver is for 90 days;
 - No conditions, limits or terminations are warranted relative to this granted waiver.

Attachments